

April 3, 1974

would prevent the person from retrieving the bird. And as far as the Legislature not being there when the railroad wishes to sell these to the Game Commission or the Road Department, I think that (inaudible) this is no problem. The railroads don't act that fast, I think that Senator Kennedy can testify to this that they do in fact act very slowly. And this would be quite an economical lose to the state if this land is not put on the tax roles to produce food, and as far as the Roads Department wanting this in a hurry, I never saw the Road Department hurry to put in a road. I found that many times that in our area it takes a long time, because they have to have plans to do this, they can't put on a road in that big of a hurry. So I would ask you to support the kill motion.

PRESIDENT: Speaking order is Senators Kennedy, Dickinson, Whitney, Nore, Keyes, Warner, Kelly and Marsh.
Senator Dickinson

SENATOR DICKINSON: No...Mr. Speaker and members of the Legislature, I rise to support Senator Maresh's motion. I think that state agencies could certainly have supervision. And at the discretion of this body, only should purchase land. Senator Maresh has listed most of the arguments of course, each right of ways do go diagonally across farms, and if they are not going to be used for railroads, they certainly should have the opportunity...the farmers should of buying this land back. They would grow up to weeds. There is no way the state game and parks commission could adequately care for these tracks of land, they would wind up with perhaps many many small parcels of land scattered across the state. In any case, whenever the opportunity presents itself, we should have these kinds of properties back on the tax roles in the hands of private enterprise and not in the hands of state agencies. I think state Agencies power is to purchase real property, should be restricted rather than broadened. I urge you to support the kill motion.

PRESIDENT: We have six or seven more speakers. Senator Kennedy.

SENATOR KENNEDY: Mr. Speaker, and fellow members. I'd like you to take a look at this brief case. This is only one of many files that I have in dealing with what we are talking about. I'd ask you to examine and then again I would show you proof of what some of the hardships have been. I did have the privilege of challenging and in some projects, I guess maybe I'd cooperation with the railroad, but if you understand that after 33 years it's been proven that any railroad does own the property, whether it is adjacent and does automatically go back to the property owner. They have proven that this is not so. I did have the privilege to buying 15 miles from Newman Grove to Albion. There were 36 farmers involved. If every farmer would have spent the amount of money, and the amount of time that I spent fighting, so that we could have the privilege of taking back the property that we should have had in the first place. Now that has not been cleared up yet. We're still working on it. To me, it's ridiculous, that we even consider such an object, because if it were sold, and we remember back in what...1969 or whenever property was sold to the railroad people...by the railroad did sell, and the game commission that we had a problem. I would like to just show any one of you the files that I have. The amount of money that has been spent. The lawyers involved. And if we go into this we do have, if the Roads Department wants to construct a road along the right of way, they have the privilege of coming in and condemnation. And we do not have to turn over this property,